
RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application

Applicant	Lassco	Reg. Number	03-AP-2150
Application Type	Full Planning Permission		
Recommendation	Grant subject to Legal Agreement and SoS	Case Number	TP/234-23

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Redevelopment of existing industrial site to provide a 7 storey block with basement car parking (access from Millstream Rd.- 44 spaces) comprising showroom with offices and storage/distribution on part of ground floor & offices on part first floor and 88 residential units on part ground, part first and upper floors.

At: 41 Maltby Street SE1

**In accordance with application received on 11/11/2003
and revisions/amendments received on 06/02/2004**

and Applicant's Drawing Nos. 546/P/01, 546/P/02, 546/P/03, 546/P/04, 546/P/05, 546/P/06, 546/P/07, 546/P/08, 546/P/09, 546/P/10, 546/P/11, 546/P/12, 546/P/13, 546/P/14, 546/P/15, FOR546/P/016, FOR546/P/017(1), FOR546/P/017(11), FOR546/P/019, FOR546/P/018, FOR546/P/020, FOR546/P/021, FOR546/P/022, FOR546/P/23, FOR546/P/24, FOR546/P/25

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the end of five years from the date of this permission.

Reason
As required by Section 91 of the Town and Country Planning Act 1990.
- 2 Samples of the materials to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason
In order that the Local Planning Authority may be satisfied as to the details of materials in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan.
- 3 Detailed drawings of a landscaping scheme (2 copies), including provision for the planting of suitable trees and shrubs, showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways) shall be submitted to and approved by the Council before the development hereby permitted is begun and the landscaping scheme approved shall thereafter be carried out in the first appropriate planting season following completion of the building works.

Reason
In order that the Council may be satisfied with the external appearance of the development and in the interest of visual amenity.
- 4 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted (2 copies) by the applicant and approved by the Local Planning Authority.

Reason
In order that the archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied.
- 5 No development shall take place until a detailed scheme (2 copies) showing the scope and arrangement of foundation design and all new groundworks, which may have an impact on archaeological remains, has been approved in writing by the Local Planning Authority and that the scheme will be monitored by the Council.

Reason

To ensure that archaeological remains are not disturbed or damaged by foundations and other groundworks but are, where appropriate, preserved in situ.

- 6 Details of the means of enclosure for all site boundaries shall be submitted to and approved by the local planning authority and the development shall not be carried out otherwise than in accordance with any approval given. The development hereby permitted shall not be occupied until the works approved pursuant to this condition have been carried out.

Reason

In order that the Council may be satisfied with the external appearance of the development and in the interest of safety and security for future occupiers of the development.

- 7 The development hereby approved shall not be implemented otherwise than:
(a) by or on behalf of registered housing provider for the purposes of providing affordable housing, or
(b) by or on behalf of any mortgagee of a registered social housing provider which has entered into possession pursuant to the terms of its mortgage or any other successor thereof.

Reason

The proposed development is acceptable because it will secure affordable housing (which will be provided by a registered Housing Association/social landlord). If the development were to be implemented by any party other than the applicant or a registered social housing provider, mechanisms to achieve affordable housing would have been required in compliance with the Council's Unitary Development Plan Policy H1.4 (Affordable Housing) and Government Guidance in Planning Policy Guidance Note 3 (Housing) and Circular 6/98 (Planning and Affordable Housing).

- 8 Details of the facilities to be provided for the secure storage of cycles shall be submitted to (2 copies) and approved by the local planning authority before the development hereby approved is commenced and the premises shall not be occupied until any such facilities as may have been approved have been provided. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose without the prior written consent of the local planning authority, to whom an application must be made.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with policy T.4.1 Measures for Cyclists of the Southwark Unitary Development Plan.

- 9 The dwellings hereby permitted shall not be occupied before details of the arrangements for the storing of domestic refuse have been submitted to (2 copies) and approved by the local planning authority and the facilities approved have been provided and are available for use by the occupiers of the dwellings. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy E.3.1: Protection of Amenity and Policy T.1.3: Design of Development and Conformity with Council's Standards and Controls of Southwark's Unitary Development Plan.

- 10 The use hereby permitted shall not be commenced before details of the arrangements for the storing of refuse have been submitted to (2 copies) and approved by the Local Planning Authority and the facilities approved have been provided and are available for use by the occupiers and users of the premises. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy E.3.1: Protection of Amenity and Policy T.1.3: Design of Development and Conformity with Council's Standards and Controls of Southwark's Unitary Development Plan.

- 11 The use hereby permitted for residential purposes shall not be begun until full particulars and details of a scheme to insulate the premises against the transmission of airborne and impact sound has been submitted to (2 copies) and approved by the Local Planning Authority and the development shall not be carried out

otherwise than in accordance with any approval given. Any such scheme shall be so designed that noise from the use does not, at any time, increase the ambient equivalent noise level measured immediately outside any of the adjoining or nearby premises (or in the case of separate units of occupation within the same building then inside those units).

Reason

In order to protect neighbouring occupiers from noise nuisance thereby protecting the amenity of neighbouring occupiers in accordance with Policy E.3.1: Protection of Amenity of Southwark's Unitary Development Plan and Planning Policy Guidance 24 Planning and Noise.

- 12 Detailed drawings showing elevation and section details at a scale of 1:5 of all openings and fenestration are required.

Reason

In order that the Local Planning Authority may be satisfied of the external appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan.

- 13 The service access is already existing, however the traffic team require that it is used in a one way mode with ingress on the Millstream Road and egress on Maltby Street. This will allow servicing to take place without restricting movement of vehicles through the access road.

Reason

In order that the Council may be satisfied that the proposal will not compromise highway safety in accordance with Policy T.1.3: Design of Development and Conformity with Council's Standards and Controls, Policy T.4.1: Measures for Cyclists and Policy T.2.1: Measures for Pedestrians of Southwark's Unitary Development Plan.

- 14 No roof plant, equipment or other structures, other than as shown on the plans hereby approved or approved pursuant to a condition of this permission, shall be placed on the roof or be permitted to project above the roofline of any part of the building[s] as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosure[s] of any building[s] hereby permitted without the prior written consent of the Local Planning Authority.

Reason

In order to ensure that no additional plant etc. is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area in accordance with Policies E.2.3 'Aesthetic Control' and E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan.

- 15 The machinery, plant or equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise therefrom does not, at any time, increase the ambient equivalent noise level when the plant, etc., is in use as measured at any adjoining or nearby premises in separate occupation; or (in the case of any adjoining or nearby residential premises) as measured outside those premises; or (in the case of residential premises in the same building) as measured in the residential unit.

Reason

In order to protect neighbouring occupiers from noise nuisance thereby protecting the amenity of neighbouring occupiers in accordance with Policy E.3.1: Protection of Amenity of Southwark's Unitary Development Plan and Planning Policy Guidance 24 Planning and Noise.

- 16 No subdivision of the B1, B8, showroom use will be permitted without the prior approval in writing from the Local Planning Authority.

Reasons

To ensure that the various employment use classes are carried out separately within the development and to protect the amenity of adjoining residents/occupants in accordance with Policy E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan.

- 17 The B8 use shall only be operated ancillary to the showroom use, which shall remain dominant at all times.

Reason

In order to ensure that the functioning of the employment uses are compatible, complimentary but separate from any existing and future business expansion and to protect this designated employment area in accordance with Policy B1.3 'Protection of Warehouse' of the Southwark Unitary Development Plan.

18 The showroom window displayed on Maltby Street shall be maintained along this frontage at all times.

Reason

In order to protect the amenity and ensure the safety of future residents within this development in accordance with Policy E.3.1 'Protection of Amenity' and E.1.1 'Safety and Security in the Environment' of the Southwark Unitary Development Plan.

19 **Reasons for granting planning permission.**

This planning application was considered with regard to various policies including, but not exclusively:

- a] Policies B.1.1 'Protection of Employment Areas and Identified Sites', E.2.2 'Heights of Buildings', E.3.1 'Protection of Amenity', H.1.3 'New Housing', H.1.4 'Affordable Housing' and T.6.3 'Parking Space in New Development' of the Southwark Unitary Development Plan 1995.
- b] Policies 2.5 'Planning Obligations', 3.2 'Protection of Amenity', 3.14 'Quality in Design', 3.15 'Safety in Design', 4.1 'Housing Density' and 4.2 'Residential Design Standards' of the Second Draft for Deposit of the Unitary Development Plan April 2004.

Particular regard was had to the proposed mix of uses and the height of the building that would result from the proposed development but it was considered that this would be outweighed by the provision of additional employment floor space, new and affordable housing and environmental and other benefits that would follow from the proposed development. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Informatives

- 1 Subject to a Section 106 Agreement under the 1990 Town and Country Planning Act.
- 2 You are advised to consult the Council's Head of Public Protection regarding an application for "Prior Consent" under Section 61 of The Control of Pollution Act 1974 as a PPG 24 Assessment should be made. Please contact the Head of Public Protection, Chaplin Centre, Thurlow Street, SE17 2DG (tel. 020-7525 5000).
- 3 At least 6 months before the occupation of the new buildings or units of accommodation hereby permitted you are advised that you must obtain the Council's approval for the numbering and naming of buildings and the naming of any new streets created by the development. Application forms can be obtained from the Street Naming and Numbering service at the Council's Regeneration Department, Council Offices, Chiltern, Portland Street, London SE17 2ES (Tel: 020 -7525-5403).
- 4 The planning permission granted includes alterations and amendments to areas of public highway, which will be funded by the developer. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. You are advised to contact the Principal (Client) Engineer, Infrastructure Group (525 5509), at least 4 months prior to any works commencing on the public highway.